IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

WRIT PETITION No. 1298 of 1995

Between:

A. Rajendra Krishna, s/o Late A. Madhava Rao,

Aged about 39 years, Occ: Employee in APSTC Limited,
Hyderabad (A.P.).

..... PETITIONER

AND

Vice Chairman & Managing Director,
A.P. State Trading Corporation Ltd.

Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly in the nature of writ of Mandamus direct the respondent to give promotion to the petitioner as accounts officer with effect from 1-10-91 from which day the petitioner has completed 5 years of service in the post of Asst. Accounts Officer in the existing Vacancies as per the cadre strength fixed by the Board of Director during 1982 with all consequential benefits.

Counsel for the Petitioner: MR.E.V.S.S.ACHARYULU

Counsel for the Respondent: MR.B.MAHESWARA REDDY

The Court made the following:

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ORDER:

The writ petition is filed with the prayer as follows:

> "….issue Writ, Order or Direction more particularly in the nature of writ of mandamus directing the respondent to give promotion to the petitioner as Accounts Officer with effect from 01.10.1991 from which day the petitioner has completed 5 years of service in the post of Asst.Accounts Officer in the existing vacancies as per the cadre strength fixed by Board of Director during 1982 with all consequential benefits."

When the matter is taken up for hearing, the learned counsel for the respondent stated that the issue involved in this writ petition is squarely covered by an earlier judgment of the Division Bench of this Court in a Writ Appeal No.26 of 1993, by which, the Division Bench of this Court allowed the Writ Appeal reversing the judgment of the single Judge of this Court, ended in W.P.No.13358 of 1992, dated 21.12.1992. It is also brought to my notice that the above mentioned judgment of the Division Bench of this Court has become final as the petition for Special Leave to Appeal, filed against the said judgment, stood dismissed. The learned counsel for the petitioner did not dispute the above mentioned position.

In the circumstances, following the Judgment in W.A.No.26 of 1993, reported above, this Writ Petition is dismissed. No costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Vice Chairman & Managing Director,

A.P.State Trading Corporation Limited,

Hyderabad

2. Two CD copies.